

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

ANTHONY J. DE NOMA,	:	APPEAL NO. C-110616
	:	TRIAL NO. A-1001030
Plaintiff-Appellant,	:	
vs.	:	
	:	<i>JUDGMENT ENTRY.</i>
JOSEPH T. DETERS,	:	
PATRICK X. DRESSING,	:	
PAULA E. ADAMS,	:	
and	:	
SIMON LEIS, JR.,	:	
Defendants-Appellees.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 3(A); App.R. 11.1(E); Loc.R. 11.1.1.

Plaintiff-appellant Anthony J. De Noma appeals the judgment of the trial court granting a motion to dismiss De Noma’s complaint filed by defendants-appellees Joseph T. Deters, Patrick X. Dressing, Paula E. Adams, and Simon Leis, Jr., (collectively “Defendants”). De Noma raises one assignment of error, arguing that the trial court abused its discretion in granting the motion to dismiss.

De Noma’s complaint alleges a multitude of tort and constitutional claims under state and federal law against Defendants arising out of De Noma’s 1995 criminal conviction and subsequent sex-offender classification. R.C. 2744.03(A)(6) provides

that political-subdivision employees are generally immune from liability unless their acts or omissions “were manifestly outside the scope of the employee’s employment or official responsibilities[]” or “were with malicious purpose, in bad faith, or in a wanton or reckless manner[.]” Moreover, prosecutors are entitled to an absolute immunity for conduct associated with the judicial phase of the criminal process. *Imbler v. Pachtman*, 424 U.S. 409, 430, 96 S.Ct. 984, 47 L.Ed.2d 128 (1976); R.C. 2744.03(A)(7).

Under Civ.R. 12(B)(6), it is beyond doubt that De Noma can prove no set of facts entitling him to relief. *See O’Brien v. Univ. Community Tenants Union, Inc.*, 42 Ohio St.2d 242, 327 N.E.2d 753 (1975), syllabus; *see also Parsons v. Greater Cleveland Regional Transit Auth.*, 8th Dist. No. 93523, 2010-Ohio-266, ¶ 11, citing *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007) (“While a complaint attacked by a \* \* \* motion to dismiss does not need detailed factual allegations, the [plaintiff’s] obligation to provide the grounds for [his] entitlement to relief requires more than labels and conclusions[.]”).

Therefore, we overrule De Noma’s assignment of error. The judgment of the trial court is affirmed.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**SUNDERMANN, P.J., FISCHER and POWELL, JJ.**

JUDGE STEPHEN W. POWELL, of the Twelfth Appellate District, sitting by assignment.

To the clerk:

Enter upon the journal of the court on May 16, 2012  
per order of the court \_\_\_\_\_.  
Presiding Judge